

EXHIBIT G

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August 8, 2023

VIA ELECTRONIC MAIL

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Re: McHugh v. Fifth Third Bancorp, et al. (1:21-cv-00238): Response to Plaintiff's July 12, 2023 Letter.

Counsel:

Please find below responses to your July 12, 2023 requests:

1. Image Files within Text Messages Chains:

Following this letter, Olivia Otting will be sending image and video files corresponding to your requests. For the video files, Defendants are producing a native version of the video alongside a corresponding Bates numbered screenshot of the first frame of the video to document its production. The image files and corresponding video screenshots are Bates numbered FifthThird—McHugh—0214492 to 0214529 and are designated “Attorneys’ Eyes Only” in accordance with the underlying text messages. Please let me know if you encounter any issues accessing the files.

2. Additional Document Requests:

Regarding Plaintiff’s request for notes of Mr. Shaffer, Defendants have produced all documents or notes of Mr. Shaffer responsive to Plaintiff’s Requests for Production of Documents within the possession, custody or control of Defendants. As stated in their responses to Plaintiff’s Requests for Production, Defendants will supplement or amend their prior responses in the event that any additional responsive documents are discovered by Defendants.

Regarding Plaintiff’s request for the September 2020 “Succession Document,” after a reasonable investigation and to Defendants’ knowledge, Mr. Shaffer was referring the September 2020 Executive Succession Planning presentation utilized by the Board of Directors, which was previously produced by Defendants at FifthThird—McHugh—0005350 to 0005373.

3. Additional Board Member Depositions.

Plaintiff has taken six depositions, including three Board Directors (Michael McCallister, Gary Heminger, Marsha Williams) and three current or former employees (Elizabeth McKay,

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Nancy Pinckney, and Paula Hennard). Plaintiff has further scheduled three additional depositions (Bob Shaffer, Tim Spence, and Greg Carmichael) and has subpoenaed a 4th (FW Cook). As such, Plaintiff has taken, scheduled or subpoenaed 10 depositions, the maximum number that the Plaintiff may take without leave of the Court per Fed.R.Civ.P. 30(a). Plaintiff's request to depose Eileen A. Mallesch and Nicholas K. Akins would, therefore, "result in more than 10 depositions being taken." Fed.R.Civ.P. 30(a)(2). Defendants will not consent to any additional depositions absent a court order. If Plaintiff continues to pursue additional depositions, Defendants will seek a protective order from the Court.

Respectfully,



Collin D. Hart

*Counsel for Defendants/Counterclaimants
Fifth Third Bancorp, Fifth Third Bank,
National Association, and Gregory D.
Carmichael*